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EXAMINER

JARRETT, SCOTT L

ART UNIT	PAPER NUMBER
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3623

DATE MAILED: 07/06/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/874,262

Applicant(s)

SUGIURA, ATSUSHI

Examiner

Scott L. Jarrett

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 June 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-23 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Priority

1. Acknowledgment is made of applicant's claim for foreign priority under 35 U.S.C. 119(a)-(d). The certified copy has been filed in Application No. 09/874262, filed on June 6, 2001.

Claim Objections

2. Claims 11-12 and 21-23 are objected to because of the following informalities. Appropriate correction is required.

Claim 11 is objected to under 37 CFR 1.75(c), as being of improper dependent form for failing to further limit the subject matter of a previous claim. Applicant is required to cancel the claim(s), or amend the claim(s) to place the claim(s) in proper dependent form, or rewrite the claim(s) in independent form.

Claim 11 recites "**The** schedule reminder **system** wherein **communication means...**" Examiner requests clarification as to what schedule reminder system and the subsequent communication means the applicant is referring.

Examiner interpreted Claim 11 to intend to further limit the schedule reminder system of claim 1; therefore intending to recite that the schedule reminder system of claim 1 further comprises sending character information (text) at a specified time.

Claims 12 and 21-23 are objected to because they fail to conform to U.S. practice and recite a schedule reminder method that does not comprise of any steps.

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Examiner suggest applicant amend the claims to conform to U.S. Practice and positively recite the intended steps comprised by the schedule reminder method.

Examiner interpreted claims 12 and 21-23 to intend to mean "A schedule reminder method comprising the steps of...."

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claims 1-23 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding Claim 1 the disclosure does not clearly define the phrase "system." A system as claimed could contain a plurality of elements and without further definition of the system elements the phrase as claimed vague and indefinite.

Regarding Claim 7, claim 7 recites the limitation "...the user terminal..." in claim 1. There is insufficient antecedent basis for this limitation in the claim.

Examiner suggests applicant amend the claim to recite "...a user terminal..." to overcome this rejection.

The claims are generally narrative and indefinite, failing to conform with current U.S. practice. They appear to be a literal translation into English from a foreign document and are replete with grammatical and idiomatic errors.

As an example Claims 14-15 and 22-23 recite that the schedule reminder method "charges **the** relevant **advertisement**." Examiner requests clarification as to

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what relevant advertisement the applicant is referring to as well as how a method could charge an advertisement (an inanimate object).

Examiner interpreted the applicant to intend to recite a limitation such as "...charges an advertiser for their advertisements..." or similar limitation wherein advertisers advertise via the schedule reminder method and pay for advertisements seen (viewed, accessed, etc.) by users of the method.

Claim Rejections - 35 USC § 101

5. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

6. Claims 1-23 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

The basis of this rejection is set forth in a two-prong test of:

- (1) whether the invention is within the technological arts; and
- (2) whether the invention produces a useful, concrete, and tangible result.

For a claimed invention to be statutory, the claimed invention must be within the technological arts. Mere ideas in the abstract (i.e., abstract idea, law of nature, natural phenomena) that do not apply, involve, use, or advance the technological arts fail to promote the "progress of science and the useful arts" (i.e., the physical sciences as opposed to social sciences, for example) and therefore are found to be non-statutory subject matter. For a process claim to pass muster, the recited process must somehow apply, involve, use, or advance the technological arts.

Additionally, for a claimed invention to be statutory, the claimed invention must produce a useful, concrete, and tangible result.

Regarding Claims 1-11, Claims 1-11 only recite an abstract idea. The recited schedule reminder system does not apply, involve, or use the technological arts since all of the recited steps can be performed in the mind of the user or by use of a pencil

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and paper. The claimed invention, as a whole, is not within the technological art as explained above claims 1-11 are deemed to be directed to non-statutory subject matter.

Mere intended or nominal use of a component, albeit within the technological arts, does not confer statutory subject matter to an otherwise abstract idea if the component does not apply, involve, use, or advance the underlying process. In the present case, none of the recited steps are directed to anything in the technological arts as explained above with the exception of the recitation of the terms "terminal", "network", "server" recited in claim 7 and "electronic mail" recited in claim 9. Therefore, the terms discussed are taken to merely recite a field of use and/or nominal recitation of technology.

Regarding Claims 12-20, Claims 12-20 only recite an abstract idea. The recited schedule reminder method does not apply, involve, or use the technological arts since all of the recited steps can be performed in the mind of the user or by use of a pencil and paper. The claimed invention, as a whole, is not within the technological art as explained above claims 12-20 are deemed to be directed to non-statutory subject matter.

Mere intended or nominal use of a component, albeit within the technological arts, does not confer statutory subject matter to an otherwise abstract idea if the component does not apply, involve, use, or advance the underlying process. In the present case, none of the recited steps are directed to anything in the technological arts as explained above with the exception of the recitation of the term "electronic mail"

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recited in claim 18. Therefore, the terms discussed are taken to merely recite a field of use and/or nominal recitation of technology.

Regarding Claims 21-23, Claims 21-23 only recite an abstract idea. The recited schedule reminder method does not apply, involve, or use the technological arts since all of the recited steps can be performed in the mind of the user or by use of a pencil and paper. The claimed invention, as a whole, is not within the technological art as explained above claims 21-23 are deemed to be directed to non-statutory subject matter.

Correction required. See MPEP § 2106 [R-2].

Claim Rejections - 35 USC § 102

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

8. Claims 1-2, 5 and 8-11 are rejected under 35 U.S.C. 102(e) as being anticipated by Ford et al., U.S. Patent No. 6,480,830.

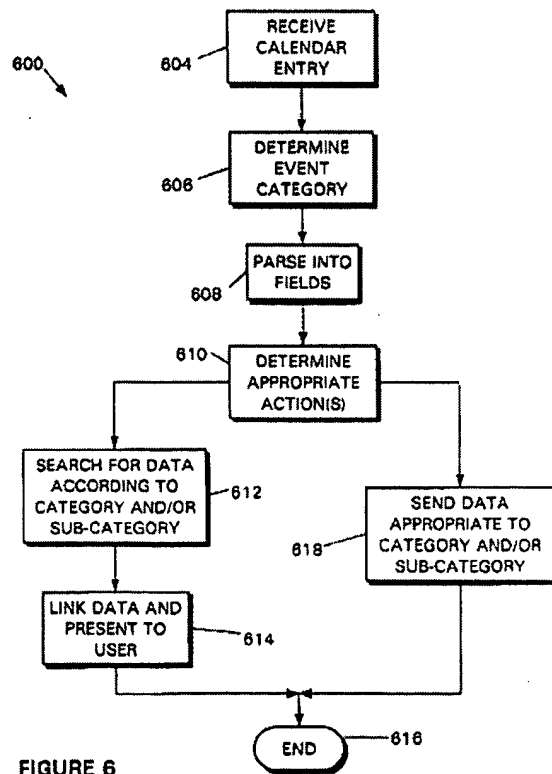
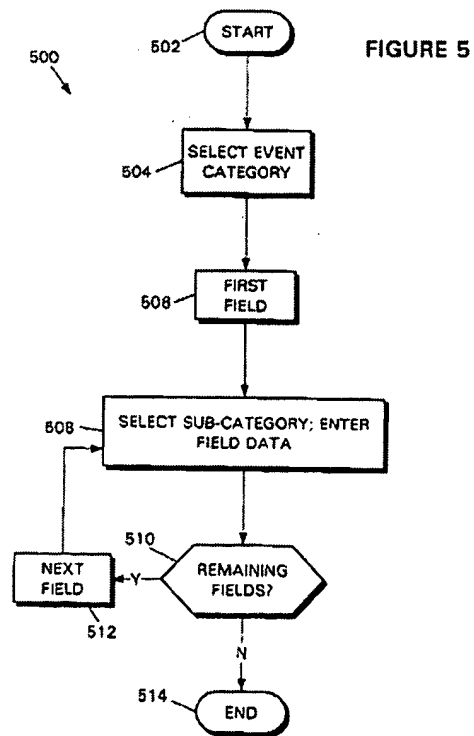
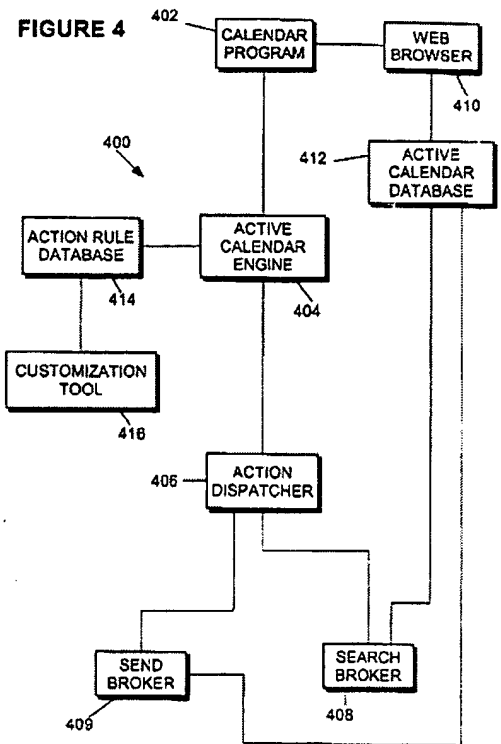
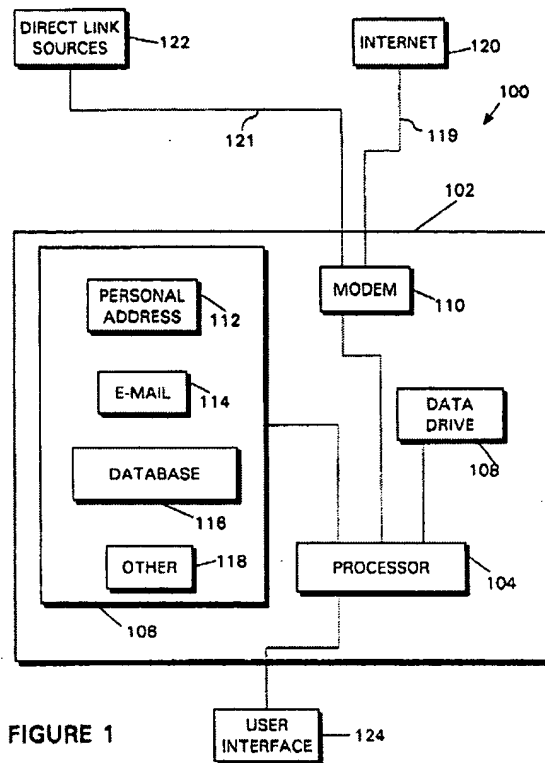
Regarding Claim 1 Ford et al. teach a calendaring system and method wherein the system automatically performs a plurality of user-defined tasks (e.g. reminder messages) associated with calendar entries (e.g. scheduled events; Column 2, Lines 19-28) as specified by the user and executed by a action rules subsystem (engine and database; Column 8, Lines 13-23; Column 10, Lines 56-68; Figure 4 as shown below).

More specifically Ford et al. teach schedule reminder (alert, notification, etc.) system and method wherein events (calendar entities, schedules, items, appointments, to-do's, activities, tasks, etc.) are created, classified (categorized) into various types/categories (Column 2, Lines 32-41; Tables 1-2; Figures 5-6 as shown below) and the system contains (utilizes, provides, has) one or more sets of reminder messages (e.g. message formats; Column 2, Lines 42-48) in which items (appointments, to-do's, activities, tasks, etc.) regarding (related to, associated with) the scheduled events

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(action rules engine/database; Figure 4 as shown below) are described including "sending time" of the reminder (information about the timing at which each reminder is sent to a user; "...the action rule database 414 may also specify delivery times for different types of messages.", Column 13, Lines 30-34; Figure 4 as shown below) comprising:

- creating (generating, registering, etc.) a scheduled event and scheduled event reminder (Column 3, Lines 58-64), via a schedule/event template (Column 2, Lines 32-48), wherein the user enters (provides, inputs, submits, etc.) scheduled event and reminder information including the timing of the reminder to be sent from the scheduled event date (i.e. sending time; Column 3, Lines 11-27; Column 13, Lines 30-34; Figures 5-6); and
- sending (reporting, displaying, providing) a reminder message (alert, notification) to the user at the sending time. ("When a meeting is calendared, reminder messages may be e-mailed to all participants..."; Column 3, Lines 57-64 and Lines 28-56; Column 13, Lines 30-34).



Regarding Claim 2 Ford et al. teach a schedule reminder system and method further comprising:

- a message database (data store, list, location, etc.) comprising message information including the message sending time (delivery time; Column 13, Lines 30-34), a plurality of combinations of the reminder message ("message formats") and a sending destination (Column 2, Lines 42-55; "message destinations", Column 3, Lines 5-11; Figure 1, Element 116); and
- sending a reminder to the destination ("...after constructing the message, the active calendar sends the message to the destination.", Column 3, Lines 35-37).

Regarding Claim 5 Ford et al. teach a schedule reminder system and method further comprising a word association subsystem (technology, code, program, etc.) that associates keywords and schedule/event types and determines (automatically) the schedule/event type based on keywords contained in the schedule/event information ("...the active calendar determines which one of the predetermined group of categories the entry pertains to...using word association technology...", Column 3, Lines 15-27; Column 10, Lines 27-55); wherein word association systems (subsystems, technologies) inherently include a table for associating (mapping, relating, interrelating, etc.) words to categories (classifications, groups, etc.).

Regarding Claim 7 Ford et al. teach a schedule reminder system and method wherein the system comprises a plurality of user terminals (computers, PCs, laptops,

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etc.) connected via a network (LAN, WAN, Internet, etc.) to the system (server; Column 4, Lines 60-68; Column 5, Lines 1-53; Figure 1 as shown above).

Regarding Claim 8 Ford et al. teach a schedule reminder system and method wherein the system sends reminders as machine readable messages to a plurality of destinations including telephone or facsimile (Column 2, Lines 49-55; Column 13, Lines 8-29).

Regarding Claim 9 Ford et al. teach a schedule reminder system and method wherein machine readable messages are sent to various destinations including internet systems (e.g. search engines), computer systems (e.g. components, printers, devices, etc.) and electronic mail (Column 2, Lines 49-55).

Regarding Claim 10 Ford et al. teach a schedule reminder system and method wherein the communication network is wired or wireless (Column 5, Lines 34-52).

Regarding Claim 11 Ford et al. teach a schedule reminder system wherein the schedule reminder sends character information (text message) at a specific time (Column 2, Lines 48-55; Column 13, Lines 30-40).

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9. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

10. Claims 12-13 and 16-21 are rejected under 35 U.S.C. 102(a) as being anticipated by Levinson, U.S. Patent No. 6,047,260.

Regarding Claim 12 Levinson teaches “a calendaring system with cueing feature for reminding a user of upcoming tasks and appointments and for automatically planning a user’s calendar based on inputted tasks and goals of a user and cueing the user at the beginning and end of a task or appointment.” (Abstract; Column 1, Lines 6-10; Figure 4 as shown below).

More specifically Levinson teaches a schedule reminder (alert, reminder, notification, alarm, etc.) system and method comprising:

- reporting (sending, providing, displaying, etc.) a plurality of related items (“work script”, work items, events, activities, to-dos, tasks, etc.; Column 4, Lines 1-9 and 42-55) for executing (completing, implementing) a scheduled event and related scheduled events (at different times; e.g. scripts, sequence of steps; etc.), with different reminders (Column 6, Lines 17-50; Column 8, Lines 16-39).

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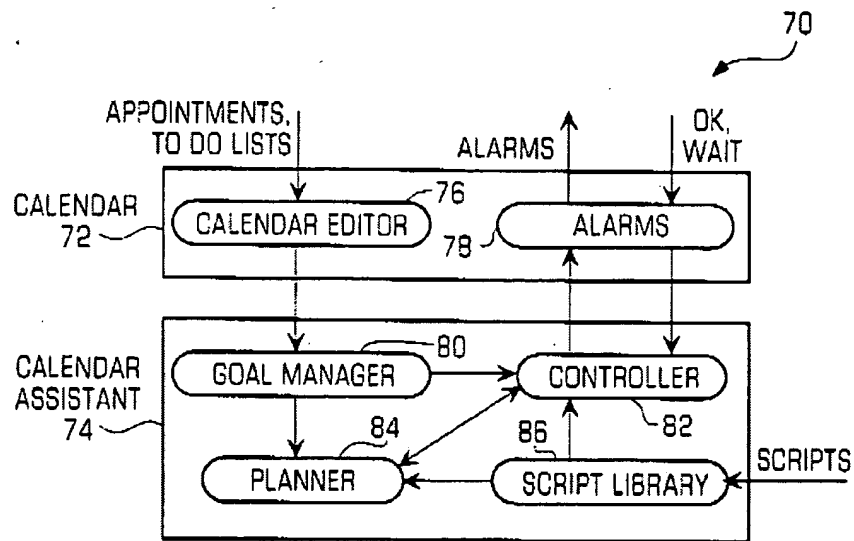


FIGURE 4

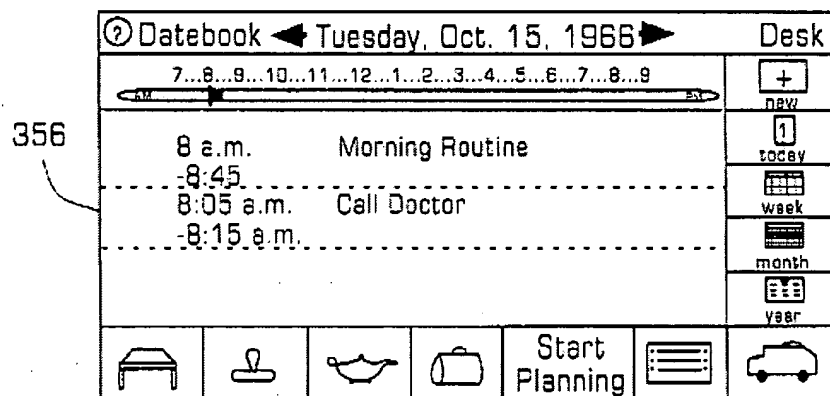


FIGURE 23

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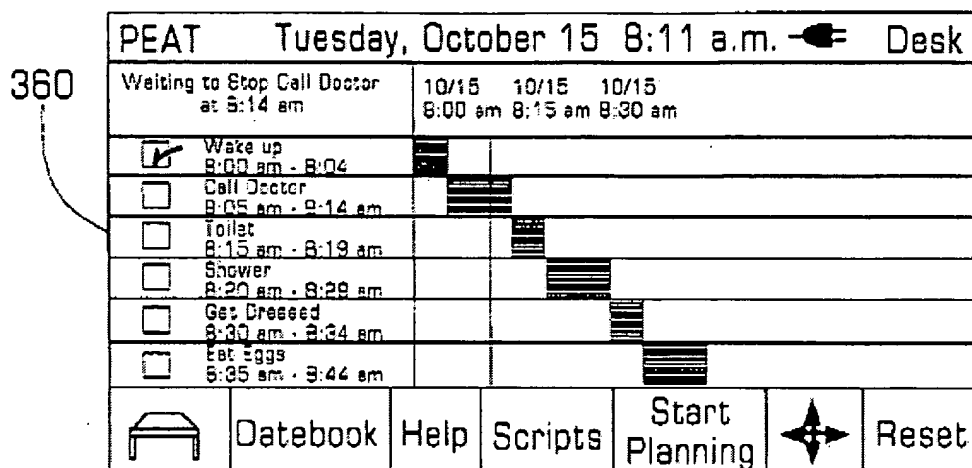


FIGURE 25

Regarding Claim 13 Levinson teaches a schedule reminder system wherein the system sends a reminder for a related (relevant, associated, linked, etc.) scheduled event item (work item, activity, task, to-do, etc.) that is required after (at a later time) the scheduled event (Column 6, Lines 17-50; Column 8, Lines 16-39).

Regarding Claim 16 Levinson teaches a schedule reminder system and method wherein the system displays a schedule in a calendar format (e.g. day, month, week, year, etc.) and displays a reminder (message, window, text, link, etc.) on the calendar (Column 16, Lines 1-68; Figures 23-25).

Regarding Claims 17-19 Levinson teaches a schedule reminder system and method wherein the reminder is sent via telephone or facsimile (fax) and/or electronic

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mail and further wherein the communication network is wired or wireless (Column 7, Lines 32-40).

Regarding Claim 20 Levinson teaches a schedule reminder system wherein the schedule reminder sends character information (text) at a specific time (Column 7, Lines 32-40).

Regarding Claim 21 Levinson teaches a schedule reminder system and method comprising:

- reporting (sending, providing, displaying, etc.) a plurality of related items (work items, events, activities, to-dos, tasks, etc.) for executing (completing, implementing) scheduled event and related scheduled events (at different times, script), with different reminders (Abstract; Column 4, Lines 1-9 and 42-55; Column 6, Lines 17-50; Column 8, Lines 16-39); and
- specifying a character string (text) describing the scheduled event (Column 7, Lines 32-40).

Claim Rejections - 35 USC § 103

11. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

12. Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ford et al., U.S. Patent No. 6,480,830 as applied to claims 1-2, 5 and 8-11 above and further in view of Shaw et al., U.S. Patent No. 5,809,242.

Regarding Claim 3 Ford et al. teach a calendaring system wherein an action subsystem (rule action engine and database) executes (send, report, display, etc.) a plurality of user-defined user tasks (activities) associated with a scheduled event (calendar entities) as discussed above.

Ford et al. does not expressly teach that the schedule reminder system and method further enables advertising as claimed.

Shaw et al. teach an electronic mail system for displaying targeted advertisements comprising (Column 3, Lines 6-10; Figures 6 and 12 as shown below):

- counting the sending frequency of each advertisement type sent (viewed, displayed, accessed, etc.) to a user (Column 2, Lines 44-55; Column 6, Lines 20-30);
and

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- storing advertising type and count information in a database (Column 3, Lines 34-45;
Column 6, Lines 20-35; Column 10, Lines 13-26).

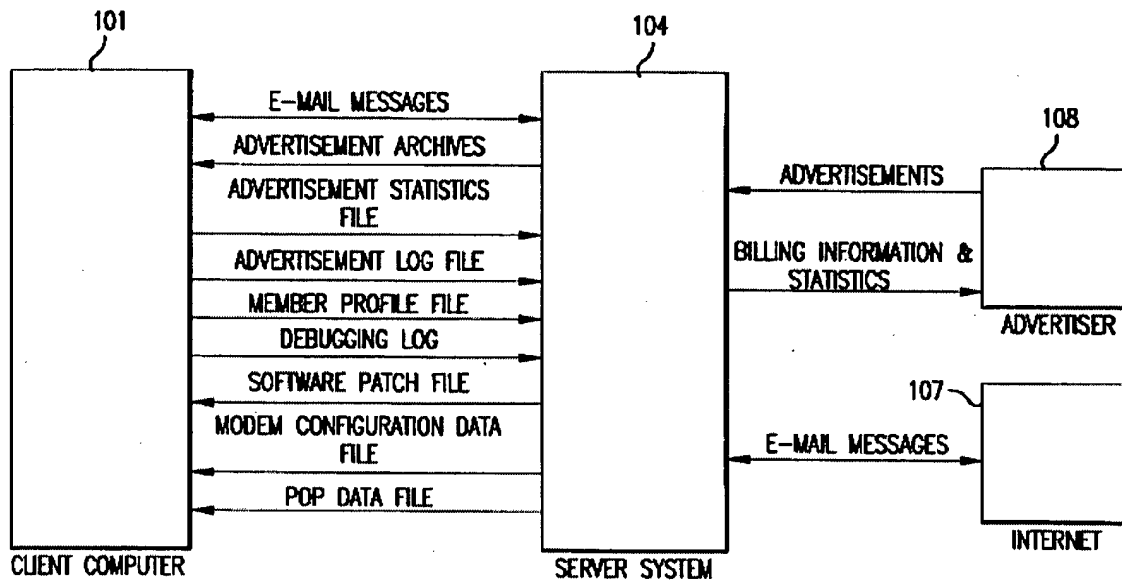
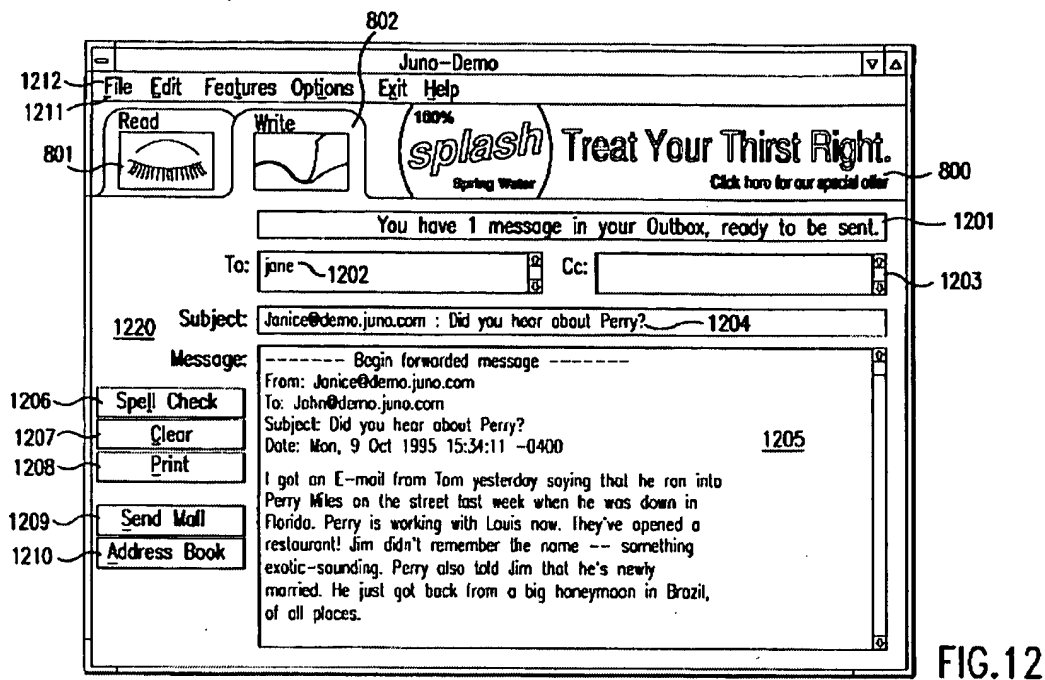


FIG.6



It would have been obvious to one skilled in the art at the time of the invention that the schedule reminder system and method, with its ability to send electronic mails and other computer readable messages to a plurality of users, as taught by Ford et al. would have benefited from advertising products/services order to generate revenues from advertisers in view of the teachings of Shaw et al.; the resultant system providing users with a free (e.g. advertiser-supported) calendaring and reminder system.

Shaw et al. does not expressly teach that the advertisements are in (inserted, included) in the email message sent by the system.

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Official notice is taken that providing advertisements in electronic mails as part of a advertiser supported online systems (applications) such as electronic mail and/or calendaring systems over the Internet is old and well know.

It would have been obvious to one skilled in the art at the time of the invention that the advertiser supported calendaring and schedule reminder system and method as taught by the combination of Ford et al. and Shaw et al. would have benefited from increasing advertising revenues by utilizing every opportunity to send (include, provide, market, etc.) advertisements to users of the ad-supported/free schedule reminder system.

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13. Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ford et al., U.S. Patent No. 6,480,830 as applied to claims 1-2, 5 and 8-11 above and further in view of Kurtzman, II et al., U.S. Patent No. 6,144,944.

Regarding Claim 4 Ford et al. teach a schedule reminder system and method further comprising a word association subsystem wherein keywords are used to determine a scheduled event's category (type, classification, etc.) as discussed above.

Ford et al. does not expressly teach that the schedule reminder system and method enables advertising as claimed.

Kurtzman II et al. teach a method and system for targeting advertisements to users utilizing a plurality of approaches/techniques ("affinity engines") including but not limited to associating keywords with advertisements (Abstract; Figure 1). More specifically Kurtzman II et al. teach a targeted advertising system and method wherein the system:

- relates (associating, interrelating, etc.) keywords and advertisements in a table (file, database, memory location, etc; Column 2, Lines 32-37 and 53-58; Column 4, Lines 45-60); and
- generates and displays advertisements (copy, text, images, etc.) based on keywords (content stream analysis; Column 4, Lines 45-60; Column 7, Lines 12-15; Figures 1-2).

It would have been obvious to one skilled in the art at the time of the invention that the schedule reminder system and method, with its ability to send electronic mails and other computer readable messages to a plurality of destinations and categorize scheduled events utilizing word association, as taught by Ford et al. would have benefited from advertising products/services in order to generate revenues from advertisers wherein the advertisements are selected based on the keyword content (word association) of the schedule event/reminder, in view of the teachings of Kurtzman II et al., the resultant system providing users with a free (e.g. advertiser-supported) calendaring and reminder system.

Kurtzman II et al. does not expressly teach that the advertisements are in (inserted, included) in the email message sent by the system.

Official notice is taken that providing advertisements in electronic mails as part of a advertiser supported electronic mail and/or calendaring system over the Internet is old and well known.

It would have been obvious to one skilled in the art at the time of the invention that the advertiser supported calendaring and schedule reminder system and method, with its ability to generate revenues by advertising products/services wherein advertisements are selected based on the keyword content (word association) of the

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schedule event/reminder, as taught by the combination of Ford et al. and Kurtzman II et al. would have benefited from increasing advertising revenues by inserting advertisements into reminder messages sent to users thereby utilizing every opportunity to send (include, provide, market, etc.) advertisements to users of the ad-supported/free schedule reminder system; the resultant system providing users with a free (e.g. advertiser supported) calendaring and reminder system.

14. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ford et al., U.S. Patent No. 6,480,830 as applied to claims 1-2, 5 and 8-11 above.

Regarding Claim 6 Ford et al. teach a calendaring system and method wherein the system automatically performs a plurality of user-defined tasks (e.g. reminder messages) associated with calendar entries (e.g. scheduled events; Column 2, Lines 19-28) as specified by the user and executed by a action rules subsystem (engine and database; Column 8, Lines 13-23; Column 10, Lines 56-68; Figure 4 as shown above).

Ford et al. does not expressly teach that the schedule reminder system and method displays a schedule in a calendar format as claimed.

Official notice is taken that it is old and very well known in the art that displaying schedule information, including scheduled events and their associated reminders (i.e. (display reminders as message, window, text, link, etc.), utilizing a calendar format (e.g.

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day/month/week/year) provides a convenient and efficient representation of a user's schedule.

It would have been obvious to one skilled in the art at the time of the invention that the schedule reminder system and method as taught by Ford et al. would have benefited from displaying a user's scheduled events (appointments, meetings, holidays, etc.) and their associated reminders in a calendar format; the resultant system providing a user with a convenient and efficient mechanism to view/review their scheduled events.

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15. Claims 14 and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Levinson, U.S. Patent No. 6,047,260, as applied to claims 12-13 and 16-21 above and further in view of Huemoeller et al., U.S. Patent No. 5,855,006.

Regarding Claim 14 Levinson teaches "a calendaring system with cueing feature for reminding a user of upcoming tasks and appointments and for automatically planning a user's calendar based on inputted tasks and goals of a user and cueing the user at the beginning and end of a task or appointment." (Abstract; Column 1, Lines 6-10; Figure 4 as shown below).

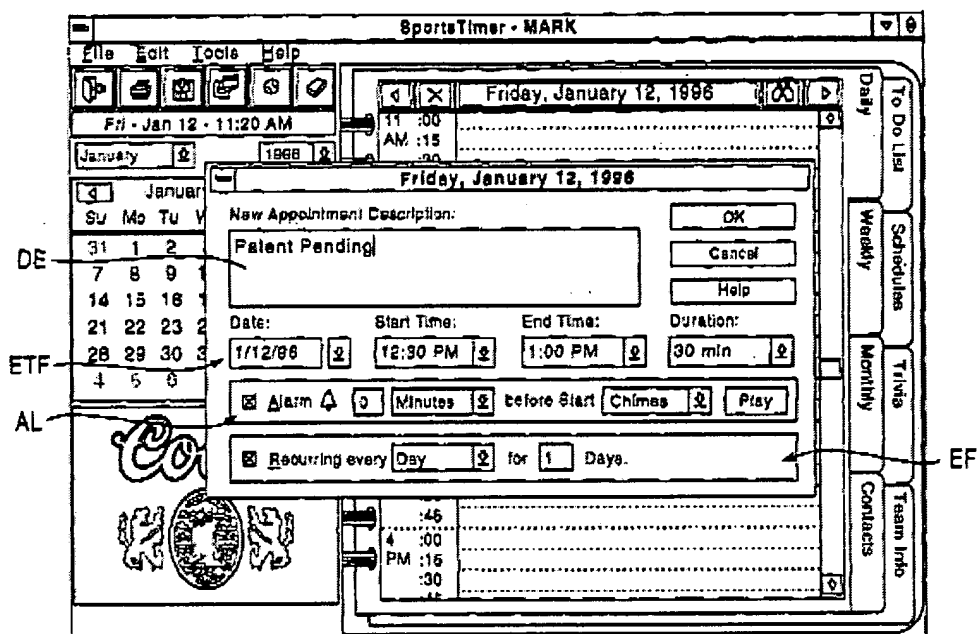
Levinson does not expressly teach that the schedule reminder system and method provides advertising as claimed.

Huemoeller et al. teach an advertising supported online scheduling system and method wherein users create scheduled events (e.g. appointments, birthdays, sporting events, to-do's, etc.) and reminders (alerts) for those events wherein the schedule information is displayed in a calendar format (Column 8, Lines 58-62; Figures 4 and 9 as shown below) and the advertisements sent are temporal and related to the scheduled events (Abstract; Column 3, Lines 2-14; Column 11, Lines 56-68).

Huemoeller et al. further teach that the system integrates with a plurality of systems (applications) including but not limited to electronic mail (Column 4, Lines 50-54).

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More specifically Huemoeller et al. teach a schedule reminder system and method wherein information related to the scheduled event includes/provides advertisement (e.g. coupons, related product/service information; Column 2, Lines 25-45; Column 3, Lines 2-20).

**FIG. 4**

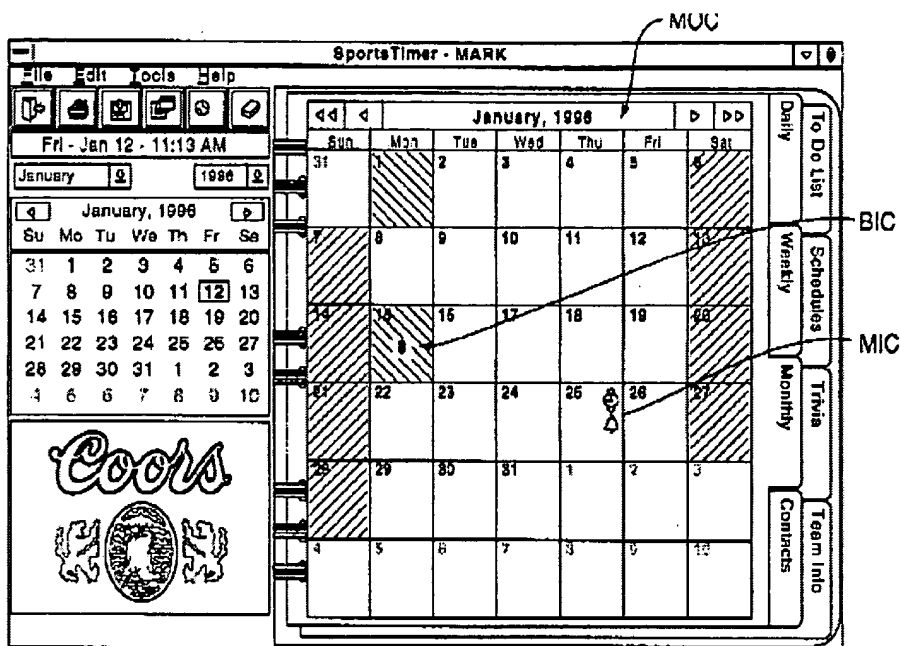


FIG. 9

Huemoeller et al. does not expressly teach charging (billing, invoicing, etc.) an advertiser for the sent advertisement.

Official notice is taken that it is old and very well known to charge (bill, invoice, etc.) advertisers for advertisements sent (viewed, accessed, etc.).

It would have been obvious to one skilled in the art at the time of the invention that the advertising supported calendaring and schedule reminder system and method as taught by the combination of Levinson and Huemoeller et al. would have charged advertisers for advertisements sent to users; the resultant system generating revenues for the business/entity providing the calendaring and scheduling system.

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Regarding Claim 22 Levinson teaches a schedule reminder (alert, reminder, notification, alarm, etc.) system and method comprising:

- reporting (sending, providing, displaying, etc.) a reminder (message, alert, notification) containing a plurality of related items (work script, work items, events, activities, to-dos, tasks, etc.; Column 4, Lines 1-9 and 42-55) for executing (completing, implementing) a scheduled event (Column 6, Lines 17-50; Column 8, Lines 16-39).

Levinson does not expressly teach that the schedule reminder system enable advertising as claimed.

Huemoeller et al. teach a schedule reminder system and method wherein scheduled events include information on related schedule events (tasks, activates, etc.; (e.g. travel planning – flights, hotels, etc.) and that the scheduled event information includes/provides advertisement (e.g. coupons, related product/service information; Column 2, Lines 25-45; Column 3, Lines 2-20).

Huemoeller et al. does not expressly teach charging (billing, invoicing, etc.) an advertiser for the sent advertisement.

Official notice is taken that it is old and very well known to charge (bill, invoice, etc.) advertisers for advertisements sent (viewed, accessed, etc.).

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It would have been obvious to one skilled in the art at the time of the invention that the advertising supported calendaring and schedule reminder system and method as taught by the combination of Levinson and Huemoeller et al. would have charged advertisers for advertisements sent to users; the resultant system generating revenues for the business/entity providing the calendaring and scheduling system.

16. Claims 15 and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Levinson, U.S. Patent No. 6,047,260, as applied to claims 12-13 and 16-21 above and further in view of Chen, U.S. Patent No. 6,836,792.

Regarding Claim 15 Levinson teaches a calendaring and schedule reminder system and method as discussed above.

Levinson does not expressly teach that the schedule reminder system and method enables advertising as claimed.

Chen teaches a system and method for providing targeted advertisements in electronic mails wherein advertising-supported Internet businesses (e.g. portals) provide Internet systems (applications, portals; e.g. electronic mail, calendaring, etc.) freely to users by generating advertising revenues (Column 2 Lines 42-60).

More specifically Chen teaches an system and method for advertising via electronic mail wherein:

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- an advertisement is inserted into a electronic mail that does not originally contain an advertisement (Column 2, Lines 46-60; Column 6, Lines 9-27; Column 8, Lines 18-26; Figures 1-2); and
- charging ("receiving payment", billing, invoicing, etc.) an advertiser for the sent advertisement (Column 2, Lines 57-60).

It would have been obvious to one skilled in the art at the time of the invention that the calendaring and schedule reminder system and method as taught by Levinson would have benefited from generating advertising revenues by inserting advertisements in electronic mail (reminder messages) that did not previously contain advertisements in view of the teachings of Chen; the resultant system generating revenues for the ad-supported calendaring system thereby enabling users to use the system free of charge.

Regarding Claim 23 Levinson teaches a schedule reminder (alert, reminder, notification, alarm, etc.) system and method comprising:

- reporting (sending, providing, displaying, etc.) a plurality of related items (work script, work items, events, activities, to-dos, tasks, etc.; Column 4, Lines 1-9 and 42-55) for executing (completing, implementing) a scheduled event and related scheduled events (at different times; e.g. scripts, sequence of steps, etc.), with different reminders (Column 6, Lines 17-50; Column 8, Lines 16-39).

Levinson does not expressly teach that the schedule reminder system and method enable advertising as claimed.

Chen teaches a system and method for providing targeted advertisements in electronic mails wherein advertising-supported Internet businesses (e.g. portals) provide Internet systems (applications, portals; e.g. electronic mail, calendaring, etc.) freely to users by generating advertising revenues (Column 2 Lines 42-60).

More specifically Chen teaches an system and method for advertising via electronic mail wherein:

- an advertisement is inserted into a electronic mails (Column 2, Lines 46-60; Column 6, Lines 9-27; Column 8, Lines 18-26; Figures 1-2); and
- charging ("receiving payment", billing, invoicing, etc.) an advertiser for the sent advertisement (Column 2, Lines 57-60).

It would have been obvious to one skilled in the art at the time of the invention that the calendaring and schedule reminder system and method as taught by Levinson would have benefited from generating advertising revenues by inserting advertisements in electronic mail (reminder messages) in view of the teachings of Chen; the resultant advertiser-supported calendaring and schedule reminder system and method generating revenues for the business/entity operating the system and enabling users to use the system free of charge.

Conclusion

17. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- Sculley et al., U.S. Patent No. 4,819,191, teach a calendaring and schedule reminder system and method wherein scheduled events trigger alarms relative to the scheduled time of the event.

- Goldhaber et al., U.S. Patent No. 5,794,210, teach an advertising system and method wherein advertisements are targeted/provided to users electronically.

Goldhaber et al. further teach that advertiser sponsorship of content (systems, services, etc.) wherein content and advertisements are intermixed (e.g. an advertisement inserted into content provided to a user) is old and well known.

- Rasansky et al., U.S. Patent No. 5,960,406, teach an online advertising supported calendaring and scheduling system and method wherein users can create scheduled events (appointments, meetings, etc.) and reminders (alerts), schedule information is displayed in a calendar format and scheduling information can be sent via a plurality of communication means (phone, fax, electronic mail, etc.). Rasansky et al. further teach that the online calendaring and schedule reminder system and method further comprises a billing subsystem.

- Moraes, Mark, U.S. Patent No. 6,014,502, teach an online advertisement supported electronic mail system and method wherein advertisements are targeted to users of the system and advertisers are charged for the advertisements viewed (sent, accessed, etc.) by users.

- Ruckdashel, Glenn, U.S. Patent No. 6,038,542, teaches a schedule reminder system and method wherein users are notified (reminded, alerted) before and/or after scheduled events created in the system. Ruckdashel further teaches that the system sends reminders/notifications via a plurality of communication channels including but not limited to electronic mail, phone, pager and fax.

- Ruckdashel, Glenn, U.S. Patent No. 6,144,942, teach a method and system for notifying a user of a previously scheduled event.

- Shaw et al., U.S. Patent No. 6,199,106, teach an online advertiser supported electronic mail system wherein advertisements are targeted to users during their use of the system and advertisers are charged based on the number of customers exposed to the advertisements.

- Gabbard et al., U.S. Patent No. 6,205,432, teach an online system and method for inserting advertisements into electronic mail that did not previously contain an advertisement. Gabbard et al. further teaches that the operator of the system generates revenues based on the advertisements inserted into emails.

- Feinleib, Harold, U.S. Patent No. 6,272,532, teaches an online schedule reminder system and method wherein reminders related to scheduled events can be sent via electronic mail prior to or after the scheduled event.

- Hortsmann, Cay, U.S. Patent No. 6,285,985, teaches a system and method for utilizing advertising to support a system (software, application, etc.) wherein the system counts the advertisements displayed (presented, viewed, accessed, etc.) to users and charges advertisers accordingly.

- Gough et al., U.S. Patent No. 6,360,221, teach an online advertiser supported electronic mail system and method wherein the system generates "enhanced" emails that comprise inserted advertisements and generate revenues through highly compelling email messages.

- Ford et al., U.S. Patent No. 6,549,939, teach a calendaring and schedule reminder system and method collects information related to the execution of a scheduled event and sends reminders/information electronically (email, pager, phone) to users one or more times prior to the schedule event.

- Ruvolo et al., U.S. Patent No. 6,604,079, teach a calendaring and schedule reminder system wherein electronic email messages are generated utilizing information from the calendar, contacts and other sources related to the scheduled events.

- Rothschild, Anthony, U.S. Patent Publication No. 2001/0047294, teach an online system and method for inserting targeted advertisements into electronic mail that is delivered to a plurality of devices.

- Huang et al., U.S. Patent Publication No. 2003/0097361, teach an organizational and management method and system comprising of a calendar, to-do lists, electronic email and the like. Huang et al. further teaches that the system enables users to schedule reminder messages one or more times and to one or more recipients wherein the reminders are related to to-do items and/or scheduled calendar events.

- Berstis, Viktors, et al., European Patent Application No. 1061465, teach an online system and method for inserting targeted advertisements in a data stream (e.g.

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electronic mail) wherein the advertisements are selected based on keywords contained in the data stream and matched/mapped to a database of advertisements.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Scott L. Jarrett whose telephone number is (571) 272-7033. The examiner can normally be reached on Monday-Friday, 8:00AM - 5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hafiz Tariq can be reached on (571) 272-6729. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

SJ
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